



Attorney Docket No. 1074-038

JC20 Rec'd PCT/PTO 26 FEB 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Buican

*Controlling Resonant Photoelastic
Modulators*

Application No: 09/623,954

Filed: 16 Mar 1999

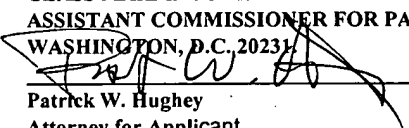
Examiner: Cottman, Darrell, C.

Art Unit: PCT

Batch No.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE
DOCUMENTS REFERRED TO AS BEING
ATTACHED OR ENCLOSED HERewith ARE
BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE ON February, 12, 2002 AS FIRST
CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231


Patrick W. Hughey
Attorney for Applicant

**SECOND SUBMITTAL UNDER 37 CFR 1.8 (b)
CONCERNING TIMELY FILED CORRESPONDENCE NOT RECEIVED IN
THE US PATENT AND TRADEMARK OFFICE**

ASSISTANT COMMISSIONER FOR PATENTS
Washington D.C. 20231

Sir:

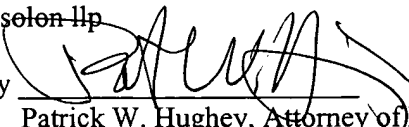
This is to again inform the Office that a prior mailing of correspondence was timely mailed, and to respectfully request that the Notice of Abandonment mailed June 11, 2001 be withdrawn. The correspondence of concern was a Response to a Notification of Defective Declaration mailed 13 November 2000 in reply to the Notification of Missing Requirements (Declaration) that was mailed 18 Oct 2000.

A copy of the previously mailed correspondence bearing the certificate of mailing under 37 CFR 1.8(a) is enclosed herewith, including a copy of the previously filed September 6, 2001 Submittal Under 37 CFR 1.8(b). That first-filed submittal was received in the US Patent and Trademark Office on September 10, 2001.

In support of the foregoing, the undersigned applicant's attorney hereby states and attests on personal knowledge basis that the previous mailing did occur.

Respectfully submitted,
ipsolon llp

By


Patrick W. Hughey, Attorney of Record
Registration No. 31,169

805 SW Broadway
Portland, OR 97205
Tel No. (503) 419-0704

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Buican

*Controlling Resonant Photoelastic
Modulators*

Application No: 09/623,954

Filed: 16 Mar 1999

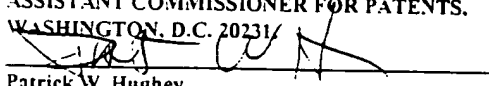
Examiner: Cottman, Darrell, C.

Art Unit: PCT

Batch No.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE
DOCUMENTS REFERRED TO AS BEING
ATTACHED OR ENCLOSED HERewith ARE
BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE ON September 6, 2001 AS FIRST
CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231


Patrick W. Hughey
Attorney for Applicant

**SUBMITTAL UNDER 37 CFR 1.8 (b)
CONCERNING TIMELY FILED CORRESPONDENCE NOT RECEIVED IN
THE US PATENT AND TRADEMARK OFFICE**

ASSISTANT COMMISSIONER FOR PATENTS

Washington D.C. 20231

Sir:

This is to inform the Office that a prior mailing of correspondence was timely mailed, and to respectfully request that the Notice of Abandonment mailed June 11, 2001 be withdrawn. The correspondence of concern was a Response to a Notification of Defective Declaration mailed 13 November 2000 in reply to the Notification of Missing Requirements (Declaration) that was mailed 18 Oct 2000.

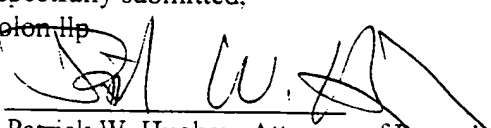
A copy of the previously mailed correspondence bearing the certificate of mailing under 37 CFR 1.8(a) is enclosed herewith.

In support of the foregoing, the undersigned applicant's attorney hereby states and attests on personal knowledge basis that the previous mailing did occur.

Respectfully submitted,

ipson llp

By


Patrick W. Hughey, Attorney of Record
Registration No. 31,169

805 SW Broadway
Portland, OR 97205
Tel No. (503) 419-0704

The Patent and Trademark Office Acknowledges Receipt of the Checked
Items on the Date Stamped on this Postcard

Applicant: Bu 15 ex 1
Serial No.: 09/623954 Filing date: 16 Mar 99
☐ Transmittal Letter in: ☐ Duplicate
☐ Notice of Missing Parts: ☐ Signed Declaration w/Power of Atty. ☐ Filing Fee
☐ Info Disclosure Statement: ☐ PTO Form 1449 ☐ with References
☐ Letter to Official Draftsman ☐ Sheets of formal drawings
☐ Issue Fee for: ☐ Large Entity ☐ Small Entity ☐ Fee Address Indicat.
☐ Form PTO 1.85B ☐ Correspondence Address Change
☐ Assignment ☐ Assignment Cover Sheet
☐ Amendment ☐ PCT Demand
☐ Pet. for Ext. of Time for month(s) ☐ Fee Calc. Form
☐ Letter/Cert of Correction
☒ Other: See under 37 CFR 1.8(b)
Date Mailed: 9-6-01 Atty. Ref. No.: 1074-038
☐ Check \$ (No.) Express Mail No.:

THIS POSTCARD FOR USE DURING PATENT PROSECUTION

PATENT COOPERATION TREATY

International Patent Application No.: PCT/US99/05586

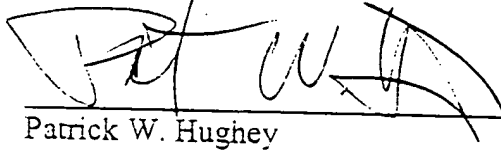
International Filing Date: November 13, 2000	To: Box PCT Assistant Commissioner for Patents Washington D.C. 20231
Agent's File Reference No. 1074-038	From: Patrick W. Hughey Ipsolon LLP 4370 NE Halsey Street Portland, Oregon 97213
Applicant(s): Hinds Instruments	
Priority Date(s) Claimed: 16 Mar 1998	
Title: <i>Controlling Resonant Photoelastic Modulators</i>	

RESPONSE TO NOTIFICATION OF DEFECTIVE DECLARATION

Dear Sir:

In response to the notice mailed 18 October 2000, enclosed is an executed declaration as well as a copy of that notice.

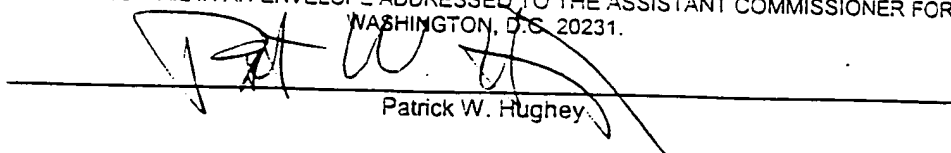
Respectfully Submitted,



Patrick W. Hughey
Agent for Applicant(s)
US PTO Reg. No. 31,169
Tel. (503) 249-7066
Fax. (503) 249-7068

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED TO AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE ON November 13, 2000 AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.



Patrick W. Hughey

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION

- ☐ Declaration Submitted with Initial Filing
☒ Declaration Submitted after Initial Filing

Attorney Docket Number	1074-038
First Named Inventor	Tudor N. Buican
COMPLETE IF KNOWN	
Application Number	09/823,954
Filing Date	September 8, 2000
Group Art Unit	
Examiner's Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Controlling Resonant Photoelastic Modulators

the specification of which

- ☐ is attached hereto; OR
☒ was filed March 16, 1999 as PCT International Application Number PCT/US99/05586.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a) - (d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Numbers	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.
60/078,069	March 16, 1998	

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Parent Patent Number (if applicable)

- ☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

DECLARATION - Utility or Design Patent Application

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John R. Dawson	PTO Registration Number 39,504
Douglas D. Hancock	PTO Registration Number 35,889
Patrick W. Hughey	PTO Registration Number 31,168
Mark M. Meininger	PTO Registration Number 32,428

Direct all correspondence to:

Patrick W. Hughey
Ipsolon llp
 4370 NE Halsey Street
 Portland, Oregon 97213

Direct all telephone calls to: Patrick W. Hughey at telephone number (503) 249-7088.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First or Sole Inventor

☐ A petition has been filed for this unsigned inventor.

Inventor's Name Tudor N. Buican

Inventor's Signature

Tudor N. Buican

Date: 11/9/2000

Residence 10600 Royal Birkdale, NE., Albuquerque, NM 87111

Citizenship U.S.

Post Office Address as above

Second Joint Inventor (if any)

☐ A petition has been filed for this unsigned inventor.

Inventor's Name

Inventor's Signature

Date:

Residence

Citizenship

Post Office Address

Third Joint Inventor (if any)

☐ A petition has been filed for this unsigned inventor.

Inventor's Name

Inventor's Signature

Date

Residence

Citizenship

Post Office Address